



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GROVER SELLERS
~~Commissioner~~
ATTORNEY GENERAL

Honorable R. V. Rayford
County Auditor, Rusk County
Henderson, Texas

Dear Sir:

Opinion No. 0-6070
Re: Whether the Commissioners'
Court of Rusk County can
legally pay for advertising
the War Bond Drive in said
County.

Your letter of June 5, 1944, requesting the opinion of
this department concerning the above stated matter is, in part,
as follows:

"Please advise me whether or not the Commissioners'
Court, under any statute, can pay for advertising the
War Bond Drive in Rusk County. * * *

We have made a careful search of the statutes and have
failed to find any statute authorizing the Commissioners' Court
to expend county funds for the above mentioned purpose.

The courts of this State have repeatedly held that county
commissioners' courts may exercise only such authority as is con-
ferred by the Constitution and statutes of this State, or necessarily
implied therefrom.

In the absence of any express or implied authority au-
thorizing the county commissioners' court to make the expenditure
for advertising a War Bond Drive, we are constrained to hold that
the Commissioners' Court of Rusk County has no legal authority to
expend county funds for such purpose, notwithstanding the fact that
the desire on the part of such court to make such expenditure, is
a commendable one.

Yours very truly

APPROVED: June 12, 1944

(s) Geo. P. Blackburn
(Acting) ATTORNEY GENERAL OF TEXAS

AW:XP:mg

ATTORNEY GENERAL OF TEXAS

By (s) Ardell Williams
Assistant

APPROVED:

Opinion Committee
by (s) B.W.B.
Chairman